

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**In re BUCA, INC. SECURITIES
LITIGATION,**

This Pleading Relates To: All Actions

Case No. 05-CV-1762 DWF/AJB

**LEAD PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF CLASS
ACTION SETTLEMENT,
CERTIFICATION OF CLASS, AND
APPROVAL OF PLAN OF
ALLOCATION OF SETTLEMENT
PROCEEDS**

DATE: October 15, 2008

TIME: 2:00 p.m.

COURTROOM: 2

Lead Plaintiff West Palm Beach Police Pension Fund hereby moves this Court to enter a Final Judgment and Order of Dismissal with Prejudice (“Final Judgment”) and an order certifying the class and approving the Plan of Allocation of settlement proceeds. By entering the Final Judgment, the Court will finally approve the settlement set forth in the Stipulation of Settlement dated as of March 20, 2008. The order approving the certification of class and approving the Plan of Allocation of settlement proceeds will finally approve the proposed Plan of Allocation set forth in the Notice of Class Action Determination, Proposed Settlement and Hearing on Settlement.

This motion is made on the grounds that the settlement is fair, reasonable, and adequate. The motion is based on the supporting memorandum of points and authorities, the related attachments, the affidavits submitted herewith, the pleadings and other files and records in this action, and such other written or oral argument as may be presented to the Court.

Dated: October 2, 2008

Respectfully submitted,

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